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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/782,921	02/23/2004	Toshihisa Motosugi	325772034400	7528

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EXAMINER

PREVIL, DANIEL

ART UNIT

PAPER NUMBER

2636

DATE MAILED: 09/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/782,921

Applicant(s)

MOTOSUGI ET AL.

Examiner

Daniel Previl

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2636

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2/23/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Specification***

1. The abstract of the disclosure is objected to because the abstract is too long.

Correction is required. See MPEP § 608.01(b).

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kanemitsu et al. (US 4,551,000) in view of Ohara Eiji (JP 2000-341461).

Regarding claims 1, 8, Kanemitsu discloses an image forming (col. 1, lines 7-16) comprising: a first detector for detecting that a consumption article has reached its life (indicating the service of the process kit has expired) (col. 6, lines 57-58); a second

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detector for detecting that the consumption article has reached a certain timing before its life (a warning that the process kit comes close to the end of its service life) (col. 6, lines 45-47); a third detector for detecting an application of power and/or releasing of a power saving mode of the image forming apparatus (electric power source 36) (col. 6, lines 21-37); making the image forming apparatus inactivate in a case where the application of power and/or the releasing of the power saving mode of the image forming apparatus is detected by the third detector after the second detector detects that the consumption article has reached the certain timing before its life but before the first detector detects that the consumption article has reached its life (col. 6, lines 21-58).

Kanemitsu discloses all the limitations above but to explicitly disclose a first controller for making a display portion provided at the image forming apparatus display an alarm advising a replacement of the consumption article; a second controller for releasing the alarm display and enabling the use of the image forming apparatus when a specific input means is operated during the displaying of the alarm on the display portion.

However, Ohara discloses a first controller (CPU 1) for making a display portion provided at the image forming apparatus display an alarm advising a replacement of the consumption article (page 10, paragraphs 0024-0026); a second controller (control circuit 11) for releasing the alarm display and enabling the use of the image forming apparatus when a specific input means is operated during the displaying of the alarm on the display portion (page 10, paragraphs 0027-0031).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Ohara's first and second controllers in Kanemitsu. Doing so would modify Kanemitsu's system with Ohara's controllers in order control accurately a toner piece by displaying a warning message, thereby alerting the user when abnormal conditions occur to fix or repair quickly the machine for the economical purposes as taught by Ohara (page 8, paragraph 0004-0005).

Regarding claims 2, 9, Kanemitsu and Ohara disclose all the limitations in claim 1 and Ohara further discloses the alarm display is performed using an entire screen of the display portion (page 1, paragraphs 0004-0005). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Ohara's entire screen of the display portion in Kanemitsu. Doing so would modify Kanemitsu's system with Ohara's entire screen in order to check the contents of warning in advance by displaying a warning message, thereby alerting the user when abnormal conditions occur to fix or repair quickly the machine for the economical purposes as taught by Ohara (page 8, paragraph 0004-0005).

Regarding claims 3, 10, Kanemitsu and Ohara disclose all the limitations in claim 1 and Ohara further discloses input means is a touch key to be displayed on a part of a display screen where the alarm is displayed (page 10, paragraphs 0027-0028) Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate Ohara's input means in Kanemitsu. Doing so would modify Kanemitsu's system with Ohara's input means in order to check the contents of warning

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in advance by displaying a warning message, thereby alerting the user when abnormal conditions occur to fix or repair quickly the machine for the economical purposes as taught by Ohara (page 8, paragraph 0004-0005).

Regarding claims 4, 11, Kanemitsu discloses photosensitive drum (col. 3, lines 32-33).

Regarding claims 5, 12, Kanemitsu discloses a fixing roller (col. 3, lines 45-54).

Regarding claims 6,13, Kanemitsu discloses a toner cartridge (toner) (col. 2, lines 18-20).

Regarding claims 7, 14, Kanemitsu discloses a paper feeding unit (feeder) (material feeding) (col. 3, lines 48-49).

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Tanimoto (US 4,851,875) discloses an identification and monitoring of image forming process units.

Kuroda et al. (US 4,771,313) discloses a service life indicator for a process cartridge.

Morishita et al. (US 5,500,716) discloses an image forming apparatus which detects waste toner accumulation before photoconductive service life expiration.

Kim (US 6,783,231) discloses a device and method for automatically opening the cover of an image forming apparatus.

Midgley (US Re. 35,751) discloses monitoring system with dual memory for electrophotographic printing machines using replaceable cartridges.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Previl whose telephone number is (571) 272-2971. The examiner can normally be reached on Monday-Thursday. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Hofsass can be reached on (571) 272-2981. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DP  
September 10, 2005.

Daniel Previl  
Examiner  
Art Unit 2636



JEFFERY HOFSSASS  
SUPERVISORY PATENT EXAMINER  
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